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*Review Essay*

DORET DE RUYTER

IS AUTONOMY IMPOSING EDUCATION TOO DEMANDING?

A review of Meira Levinson, 1999, *The demands of liberal education*, Oxford: Oxford University Press.

Everyone will agree that the education of children is a matter of great importance in which almost everyone has a vested interest. Not only do children need education in order to become adults who can lead a flourishing life, societies also need well-educated citizens, and parents (normally) want to give their children such an education with which they believe the children will lead a flourishing life. This general formulation is, however, also the end of the agreement between everyone. The moment people are asked which kind of education they believe is conducive to which kind of flourishing life and who should have a say in formulating these two questions, opinions start to divert. Also, most people (except for instance libertarians or anarchists) will agree that the state has a responsibility to look after the well-being of a country/nation and its citizens, but the extent of this responsibility is again matter of dispute. In both cases we can ask whether it is still possible to develop a position with regard to education and the role of the state which has sufficient plausibility that will be acceptable to most people, even given the differences in opinion. This is the task that Levinson sets for herself in her book *The Demands of Liberal Education*. Her aim is to develop “a carefully conceived, coherent liberal political theory of children’s education” (p. 3). In this article I will address three of the topics Levinson discusses in her book. The first is the aim of liberal education, i.e. autonomy, the second is the position of the parents and the state with regard to the education of children, and the third topic, which I will discuss most extensively, is the ideal of detached schools as the most conducive to the development of autonomy as well as whether imposing such schools are in children’s interests.



## AUTONOMY

The basis of Levinson's political theory of children's education is a weak perfectionist conception of liberalism and its accompanying minimal substantive conception of autonomy, which she regards as the only defensible interpretation of liberalism. Firstly, Levinson argues that a liberal theory needs all three commitments found in diverse liberal theories, i.e. the fact of pluralism; a legitimation process which is public or transparent, to which all (potential) citizens participate equally and freely and which is agreeable to all; substantive liberal institutions, i.e. a broad range of specified individual liberties and accompanying governmental duties. Secondly, Levinson wishes to develop a conception of autonomy which is minimal enough to be acceptable to most people (though it will not be acceptable to all) but not too minimal that it cannot secure the substantive liberal institutions. Stanley Benn's (1988) conception of autarchy, which means that a person is self-directing though not necessarily on the basis of a *nomos* which she has made her own by critical examination, for instance, would be too minimal, because on such a basis the state does not necessarily have a corresponding duty to provide education for all or ensure the freedom of speech. Additionally it must be sufficiently substantive to be able to make a distinction between autonomous and heteronomous persons, but also give a place to deep commitments of people because an autonomous person is not an atomistic unit.

The ideal of personal autonomy is then defined as "A substantive notion of higher-order preference formation within a context of cultural coherence, plural constitutive personal values and beliefs, openness to others' evaluations of oneself and a sufficiently developed moral, spiritual or aesthetic, intellectual, and emotional personality" (p. 35). I agree with Levinson's presumption that this conception of autonomy as an ideal meets her aim to develop a theory that is defensible for most people in Western liberal societies. I also agree that within a pluralistic society where the information sources are overwhelming and easily accessible it is important that people are able to judge which of the values, ideas and beliefs on offer they do or do not want to adopt for their own lives, that they can decide for themselves what they value in life and on the basis of which conviction they do so. This does not mean that every option should be open or can (psychologically) be considered by an autonomous person. For instance, I would never consider buying a turquoise or yellow leather couch, nor would I spend time reflecting over the possibility of having my eyebrow or belly button pierced. These might seem trivial, but similarly, it is completely impossible for me to seriously consider the option of voting for a right-wing party. Does that mean that I am not a truly autonomous

person? I do not think so, but I am not certain if Levinson would agree. I believe that Frankfurt is right in arguing, “Unless a person makes choices within restrictions from which he cannot escape by merely choosing to do so, the notion of self-direction, of autonomy, cannot find a grip” (Frankfurt, 1999, p. 110). Thus, the plurality of values that an autonomous person might need to have must also be restricted and guided by ideals or ultimate values about which the person cares so much that she cannot betray them (*idem*, p. 114). These values cannot, therefore, be brought into the evaluation of one’s values on an equal basis. On the contrary, these are the foundations of one’s evaluation and make a person who she is. Though the person might not suffer “a wholesale loss of identity” as Levinson calls it (p. 58) when she would question these ultimate values, changing them or loosing them would imply a profound change of her identity. This is neither something that can be prevented unless a person would avoid deep commitments, nor something that is to be regretted, even though it can be undermining. A profound example of this is J.S. Mill’s crisis in which he asked himself the question: “Suppose that all your objects in life were realized; that all the changes in institutions and opinions which you are looking forward to, could be completely effected at this very instant: would this be a great joy and happiness to you?” And an irrepressible self-consciousness distinctly answered, ‘No!’ At this my heart sank within me: the whole foundation on which my life was constructed fell down. All my happiness was to have been found in the continual pursuit of this end. The end had ceased to charm, and how could there ever again be any interest in the means? I seemed to have nothing left to live for” (1969, p. 81).

The most important question, however, is not whether Levinson or I believe that second order reflection on one’s beliefs, ideas and values and those of others is in the interest of people, but whether or not it is of such interest that children should be enforced to receive an education that makes such possible. In other words, could we argue that the development of autonomy is a fundamental interest or a right of children with which a duty to assist this development corresponds? Levinson answers this affirmatively. However, it is only the state that has the corresponding duty to assist children to develop autonomy – though she also intimates that children have a duty to receive such education. Her political theory of children’s education does not encompass a specific content of the way in which parents raise their children, nor does she seem to wish to legally forbid practices that are not autonomy conducive. The paternalistic role and authority of the state and the parents complement each other and prevents that either has total control. Where the state “is responsible for ensuring that children are given the means to develop their capacities for

autonomy”, “parents . . . are responsible for their children’s physical and psychological well-being, development of identity, and sense of cultural coherence” (p. 57). But what are the implications of this for the position of parents?

#### PARENTAL DUTIES AND RIGHTS REGARDING THE EDUCATION OF CHILDREN

Levinson argues that a liberal state should impose liberal schooling on children in order to ensure that children have the possibility of becoming autonomous persons. Instead of giving children the option of opting out of autonomy enhancing education, which would seem a liberal position, the state should paternalistically decide that all children must undergo such education. Levinson comes to this conclusion as follows. She begins by arguing that children need paternalistic actions of other people and therefore the question is not whether or not one should act paternalistically against children, but who best serves the interests of children. She then argues that since the ability to choose is necessary in order to agree or give consent, which is one of the primary sources of legitimacy in liberal theory, a paternalistic authority that promotes such is superior. Additionally, children have an interest in deciding which values they want to endorse when they are adults and therefore the state has a right to overrule parents and children’s wishes to be educated otherwise. “It is simply trying to right the balance of power by giving individuals the ability in their adult lives to do what they could not do as children – specifically, to determine their own values and to adopt a conception of the good with which they identify” (p. 48).

In addressing the balance of paternalistic power over children Levinson follows Dwyer who argues that parents do not have a right over their children, but a privilege. According to Hohfeld, whose theory Dwyer uses, a privilege is the opposite of a duty. It is, he claims, a logical contradiction for a person to have a duty as well as a privilege to do *x*. This means, firstly, that when one has a privilege to do *x*, one does not have a duty not to do *x*. For instance, when I have a privilege to enter the garden of my neighbour, I do not have the duty to stay out of it. Secondly, when one has a duty to do *x*, one cannot at the same time have a privilege to abstain from performing the duty. In my view the term ‘privilege’ in the Hohfeldian sense is inappropriate for the claim or position of parents, because of its contradictory position in relation to ‘duty’. In my opinion, the basic term we must use for the position of parents with respect to (the education of) their children is ‘duty’, which is correlated to the fundamental interests

or rights of children. However, being able to fulfil a positive duty, that is a duty to do something, requires that one is given the freedom or liberty to do so. This also applies to parents' duty to educate their children. But which term does justice to the assumption that parents primarily have a duty towards their children and a freedom against others so that they can fulfil their duty according to their conviction what is in the best interest of the child? One of the best suggestions I have found is Eekelaar's proposal that parents have a duty-right to educate their children (1973, p. 220).<sup>1</sup> Their duty-right can be interpreted both in terms of a positive and a negative right. Parents have a positive right against the state to assist them to be able to educate their children and a negative right that others forbear from intervening. Because their rights are dependent on their duties, the rights are not absolute but conditional and can thus be overruled on the basis of their insufficient or damaging exercise of their duty.

I would therefore also argue that though the state has a positive and negative duty against parents, i.e. to assist them and to refrain from intervening, it is a duty based on the rights of children against whom the parents have a duty. Therefore, the state primarily has a duty against children. But what does this duty comprise and how substantive should the educational duty of the state be?

#### THE MEANS, ARE DETACHED SCHOOLS NECESSARY FOR THE DEVELOPMENT OF AUTONOMY?

I will first describe Levinson's conception of and argument for detached schools and then argue why this ideal is not the only one that can conduce children's development into autonomous adults. Secondly, I will propose that the state's duty should not be one of autonomy imposing education, but autonomy enhancing education.

Levinson's ideal liberal school is detached from the parents' and home-community's values, beliefs and commitments in which children from a variety of backgrounds are educated, which privileges critical inquiry over indoctrination, value beliefs and commitments, fosters an atmosphere of reflection detached from commitments of the other arenas of the child's life, would provide a group of evaluators and in which "the various aspects and competencies of autonomy can be freely practiced and improved"

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<sup>1</sup> Eekelaar argues that parents have a duty-right to secure their children's education in terms of schooling. This duty right gives parents a claim (or positive right) to the government to provide sufficient schools. My proposal is to expand this to other aspects of parental education as well.

(p. 61). In other words, the ideal liberal school fosters the development of children's autonomy by being a plural community which values critical inquiry, toleration and reflectiveness.

There are two main questions against this conception of schooling or schools: (a) are these schools necessary for the development of autonomy; (b) is the ideal viable? Both questions need to be answered affirmatively if one wishes to defend the state's imposition of liberal schools for all. For, if it would not be necessary that children attend detached liberal schools to develop themselves into autonomous adults, the justification for the state policy is questionable. That is, if non-detached schools are in principle equally able to foster autonomy in children and if this school would be chosen by the parents on the basis of a cultural or religious compatibility with their own values, then the state cannot enforce detached schools on the basis of the interests of the child in terms of the aim of autonomy.

#### *Are Detached Liberal Schools Necessary?*

The first question is whether schools must necessarily be detached from the partial values, beliefs and commitments of children's families and local communities in order to be conducive to the development of autonomy. At first, Levinson's answer seems to be a non-negotiable yes. But in the last chapter, she seems to change her strict opinion and argues that religiously affiliated schools can be compatible with the liberal educational ideal. Interestingly, she had already indicated such when she evaluated the empirical studies into Catholic Schools in the United States (though to challenge the necessity of parents sharing the values and aims of the schools and forming a community, not to defend the possibility of liberal Catholic schools) by arguing that the shared values of Catholic schools are fully compatible with the aims of the detached liberal school (p. 81). Thus, detached schools are not necessary per se for the development of autonomy. Liberal religious schools, for instance, can also foster autonomy (for instance Thiessen, 1993; De Ruyter, 1999).

The necessity of detached schools can also be questioned from another perspective: do schools really matter in the development of children's autonomy? Levinson herself seems to deny this. In arguing that state-directed education does not create uniform adults, she rightfully maintains that schools are only one influence in the life of a child and that though children might receive the same education, they do not learn the same. On the contrary, she argues, "given the recent explosion of sources of information to which children have access, it is hardly tenable to claim that schools provide the only, or even the most influential, education that children receive" (p. 73) and that the home seems to be more influential

than the school too (though this is in relation to achievement). If this is true, Levinson herself undermines her case for imposition of autonomy imposing education. For, if she challenges the import of such education for the development of children she cannot at the same time argue that it is necessary that children receive such education which could therefore be made obligatory.

*Are Ideal Liberal Schools Viable?*

The detached liberal school Levinson describes is an ideal school in two senses. Firstly, there are as yet no real examples of the detached liberal school and secondly, the description has a utopian character, i.e. consists of excellent qualities only. The danger with ideals is, that one can be so convinced about their excellent or perfect nature that one loses one's critical stance against one's own ideals. For instance, on p. 62 she argues "While many liberal parents may in general favor their children's thinking for themselves, interest in family harmony or the need to make an important decision might (properly) trump the child's opportunity to practice autonomous decision-making. Thus a space separate from that constituted by the child's family and home community is needed in which to pursue these norms without compromise". It is of course an illusion that a school does not or should not do the same at times. Similarly, I cannot understand why a liberal school is better shielded against capitalist-dominated education, because it is shielded from the direct influence of parents and the local community. It is definitely not the government whom we should bet our money on when it comes to a shield against capitalist-dominated education, as the strategic plan of Estelle Morris (former minister of Education for England and Wales) shows, by arguing: "There is now wide acceptance that to build an economy that will continue our success in the global market place we will need an even better educated and more highly skilled workforce" (p. 1), or "better educated and more highly skilled people are more likely to be in work, earn more and contribute more productively to our economy and society. Knowledge and skills provide individuals with their surest route into work and prosperity, helping eradicate the causes of poverty and division in society" (p. 7).

In evaluating the ideal liberal school in comparison with other initiatives that seemed to be beneficial for the interests of all children, for instance school choice programmes, Levinson has of course an advantage that her ideal can be evaluated on theoretical grounds only, whereas the alternative ideals are also discussed on the basis of empirical findings. The experiment programme 'school choice' is for instance compared to the extent to which it has been realised in practice. This cannot be done for her



liberal ideal schools as yet. Whether or not ideal liberal schools can be realised and then live up to the ideals is as questionable as the other ideals that have been put into practice. Therefore, the fact that ideal liberal schools fare better is not proven as yet, because the theoretical underpinnings of the other ideals were as theoretically sound as Levinson's.

## CONCLUSIONS

Levinson has not been able to convince me that detached schools are necessary for the development of autonomy in children and therefore should be exclusively offered to children in liberal democracies. This does not mean that detached schools are not a defensible type of school. I think it is a school that will be welcomed by a lot of parents. I also think that most of the characteristics of the ideal liberal school Levinson enumerates, for instance learning to express themselves in terms others will understand, be imaginative, learn to think critically, gain the skills and knowledge to put their beliefs and values into practice (p. 60) should characterise every school.

Maybe my problem is related to the ambiguity of the meaning of 'detachment'. For instance, as already mentioned, in the last chapter Levinson argues that it is in principle possible that liberal schools diversify along religious lines. However, I do not think it is conceptually sound to characterise a religious school as one that is detached from the (values of the) children's families and home communities. Of course there might be children in a religious school whose parents do not adhere to the specific religion themselves if the school has an open entry policy (as I think it should have), but in general one will find that there is a coherence between the religious basis of the school and that of the family. I think her argument that in Great Britain, for instance (up till recently) "religion played a fairly insignificant role in the lives of most British families, and that it exerts little influence over the life of the country as a whole" (p. 158) shows that it is not detachment or non-detachment that is in the end decisive if a school can be a liberal school or not, but that it is the curriculum, the didactics and the disposition of the teachers and management of the school that make it such. One can think of liberal mono-cultural or religious schools, which are open to children whose parents believe it is important that they receive a particular religious induction, or of liberal multi-faith schools, where children from various religious backgrounds work together, but have their R.E. lectures separately as well as together.

It seems that it is not detachment *per se* that is important, but detachment from a fundamental (which must probably be understood as unques-

tionable) and socially divisive conception of the good life. Divisive can be interpreted in two ways. In the first option, divisive means that the school is built upon a particular conception of the good and makes a division against the group of children it will take into the school. This does not mean that the conception of the good is itself divisive in society neither does it mean that such a school cannot assist children to become autonomous persons. In the second option, 'divisive' means that the conception of the good leads to a divisive society. That would be the case if adherents of a conception of the good were discriminating or behaving aggressively towards non-believers. Schools which are based on such conceptions of the good cannot be allowed in liberal democracies, because they violate the basic rules and rights of such a society. Levinson says that she is unable to be precise about 'fundamental' or 'socially' divisive, because such is dependent on a particular social and political context. The example of the United States is an interesting one, because the examples of Christian movements are precisely the evangelical and fundamentalist movements that are fundamental and divisive. However, arguing against state funding for fundamentalist schools does not mean that all religious schools should be banned, even within the context of the United States.

Finally, a detached school is according to Levinson not detached from societal or civic culture. I agree that a civic identity is important. However, the idea of a detached school being attached to a civic culture confirms my idea that autonomy enhancing schools are not necessarily detached from the values etc of the children's parents and communities. For, it is unclear what such a civic culture is *in concreto* when it cannot be that of a lot of the local controllers or parents. I do not think that there exists something like a public culture, called civic identity, which though common to all is detached from most local cultures. Again, I believe that what is more important is that schools are not attached to anti or non-civic cultures disabling children to become citizens of a liberal democracy by excluding them from society or refraining from teaching basic liberal democratic values and dispositions. Similarly, it is important that schools do not undermine children's potential to become autonomous persons by indoctrinating them. Such schools should not be condoned by the state. But neither should the state endanger the child's possibilities of developing autonomy and liberal civic duties by estranging parents from the public school system (or private schools which are state regulated).

Enforcing autonomy imposing schools on all children, without the possibility of accommodating particular groups within a school will in the end be more detrimental for them than enhancing the interest of children. For instance, in the reconstruction of the events that lead up to

the *Mozert case*, Galston (2002) gives an interesting illustration, on the basis of Stephen Bates' recount, how dysfunctional polarisation can be. It appears that the parents and the principal of the middle school had reached an agreement with respect to the objection of the parents with texts that their children had to read for English. "The children could go to the library during reading period, where they would read from an alternative textbook on their own, without parental involvement or supervision" (the parents had proposed to supervise their own children at first) (p. 120). The agreement collapsed, because other schools in Hawkins County did not accept this arrangement and suspended children from school. The parents then felt forced to go to court. Though I could not argue that the agreement was ideal and though there are profound pedagogical questions as well, I believe that the interests of the children and those of a liberal democracy would have been better served if this agreement had stood up. For, though the parents objected to the reading, their children were in a plural public educational environment. I would argue that the children's interests are better served in such an environment, even if it is not optimal, than in a fundamentalist private school.

Additionally, if the description of fundamentalism "[...] as a tendency, a habit of mind, found within religious communities and paradigmatically embodied in certain representative individuals and movements, which manifests itself as a strategy, or set of strategies, by which beleaguered believers attempt to preserve their distinctive identity as a people or group" (Marty and Appleby, 1991, p. 835) bears some truth, estranging fundamentalist parents and children from the public educational sector will only fuel fundamentalist tendencies instead of reducing them. If children are educated within an, admittedly, reduced plural environment in which they are respected, Levinson's liberal school is not realised in its ideal form. However, if children can be kept in autonomy friendly or autonomy enhancing schools, the state will serve the interest of more children than if it would only provide and condone autonomy imposing schools. Additionally, if more children stay in these schools, more have opportunities to practice the dispositions characteristic for a liberal democratic citizen (see Levinson, pp. 63, 115), which serves the interest of a liberal democracy.

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